

PRINTER RUSH

(PTO ASSISTANCE)

Application : 09767080 Examiner : Mohamed GAU : 1653

From : J. Black Location : (IDC) FMF FDC Date : 12/30/05

Tracking # : cpm09767080 Week Date : 7/11/05

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM		<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input type="checkbox"/> Other
<input type="checkbox"/> DRW		
<input checked="" type="checkbox"/> OATH	<u>1/22/01</u>	
<input type="checkbox"/> 312		
<input type="checkbox"/> SPEC		

[RUSH] MESSAGE:

Signatures of all inventors are missing
from the oath/declaration.

Please resolve.

[XRUSH] RESPONSE:

See misc comm

Dane

INITIALS: [Signature]

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04

**Fax**☒ Urgent☐ Return reply requested☐ Original will be sent as confirmationTo: **USPTO**

Date: February 6, 2006

Attention: Ms. Rori Burch, Publishing Division

Re: Appl. No. 09/767,080; Filed 1/22/2001

**For: Deoxo-Proline-Containing
Tamandarin and Didemnin Analogs,
Dehydro-Proline-Containing Tamandarin
and Didemnin Analogs, and Methods of
Making and Using Them**From: Matthew J. Dowd **MD**

Pages (including cover sheet): 15

Our Reference: 1694.0640001

Fax No: 571-273-9009

Message

Dear Ms. Burch:

In response to the Notice to File Corrected Application papers mailed January 10, 2006, we provide the following documents: 1) A copy of the Notice To File Corrected Application Papers-Notice of Allowance Mailed (2 pp.); 2) A copy of the executed Declaration as filed on June 19, 2001 (4 pp.); 3) A copy of the Reply to the Notice to File Missing Parts, including PTO-stamped postcard, filed on June 19, 2001 (3 pp.); and 4) A copy of the Updated Filing Receipt, mailed July 27, 2001, indicating that the application was complete (3 pp.).

Hard copies of the attached documents are being filed concurrently. Please do not hesitate to contact us if any additional information is required.

Matthew J. Dowd

493501_1.DOC

If any portion of this transmission is not received clearly or in full,
contact us at 202.371.2600 or f 202.371.2540

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Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgl.com



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*Admitted only in Maryland
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*Practice Limited to
Federal Agencies

February 6, 2006

WRITER'S DIRECT NUMBER:
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INTERNET ADDRESS:
MDOWD@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application
Appl. No. 09/767,080; Filed: January 22, 2001
For: **Deoxo-Proline-Containing Tamandarin and Didemnin Analogs,
Dehydro-Proline-Containing Tamandarin and Didemnin Analogs,
and Methods of Making and Using Them**
Inventors: Joulie *et al.*
Our Ref: 1694.0640001

Sir:

In reply to the "Notice to File Corrected Application Papers-Notice of Allowance Mailed," dated January 10, 2006, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Corrected Application Papers (2 pp.);
2. A copy of the executed Declaration as filed on June 19, 2001 (4 pp.);
3. A copy of the Reply to the Notice To File Missing Parts, including the PTO-stamped postcard, filed on June 19, 2001 (2 pp.);
4. A copy of the Updated Filing Receipt, mailed July 27, 2001, indicating that the application was complete (3 pp.); and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent

Commissioner for Patents
February 6, 2006
Page 2

abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Matthew J. Dowd
Agent for Applicants
Registration No. 47,534

MJD/rjv
Enclosures

493628_1.DOC



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,080	01/22/2001	Madeleine M. Joulie	1694.0640001	5576

26111 7590 01/10/2006

STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

MUHAMED, ABDEL A

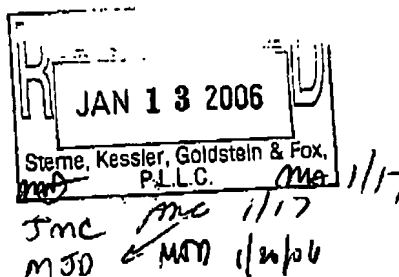
ART UNIT

PAPER NUMBER

1653

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



Declaration due February 9, 2006

DOCKETED

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number
09767080

Date Mailed
1/10/06

NOTICE TO FILE CORRECTED APPLICATION PAPERS***Notice of Allowance Mailed***

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

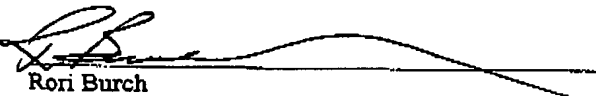
Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- ♦ Inventor's signatures are missing from the oath/declaration/ADS. No petition under Rule 1.47 filed. (JOULLIE, MADELEINE M.; LIANG, BO; DING, XIAOBIN) Fax missing information to number below or e-mail.
 - o For status updates visit <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR System, contact the Electronic Business Center (EBC) toll free at 866-217-9197.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice **MUST** be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450
Alexandria, VA 22313-1450

DOCKETED


Rori Burch
USPTO
Publishing Division
Rori.burch@uspto.gov
Fax (571) 273-9009
Fax (703) 308-6642
703-305-0333 ext.135 (V)

Declaration due February 9, 2006

Attorney Docket No. 209596.0383/303U1
(M-2163)

DECLARATION AND POWER OF ATTORNEY
(Related Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Deoxo-Proline-Containing Tamandarin and Didemnins Analogs,
Dehydro-Proline-Containing Tamandarin and Didemnins Analogs,
and Methods of Making and Using Them**

the specification of which is attached hereto and/or was filed on January 22, 2001 as Application No. 09/767,080.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

FOREIGN PRIORITY APPLICATION(S)**Priority Claimed**☐ Yes ☐ No

(Number)	(Country)	(Day/month/year filed)
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Priority Claimed☐ Yes ☐ No

(Number)	(Country)	(Day/month/year field)
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I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional patent application(s) listed below and have also identified below any United States provisional patent application(s) having a filing date before that of the application on which priority is claimed.

PROVISIONAL PRIORITY PATENT APPLICATION**Priority Claimed**☐ Yes ☐ No

(Application No.)	(Filing Date)
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I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or in the prior U.S. provisional application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/545,848</u>	<u>April 7, 2000</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)—(patented, pending, abandoned)
<hr/>		
(Application Serial No.)	(Filing Date)	(Status)—(patented, pending, abandoned)

And I hereby appoint the registered attorneys and agents associated with **AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.**, Customer No. 000570, as my attorneys or agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence to Customer No. 000570, namely, **AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.**, One Commerce Square, 2005 Market Street, Suite 2200, Philadelphia, Pennsylvania 19103. Please direct all communications and telephone calls to **Alan S. Nadel** at (215) 965-1280.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole
inventor, if any Madeleine M. Joullie

Inventor's Signature *Madeleine M. Joullie*

Date 2/2/01

Residence Philadelphia, PA

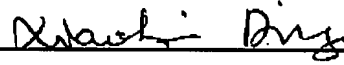
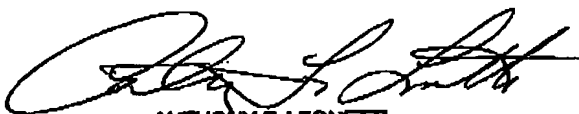
Citizenship U.S.A.

Post Office Address 288 St. James Place; Philadelphia, PA 19106

Full name of second joint

inventor, if any Bo LiangInventor's Signature Date 02/02/01Residence Glenolden, PACitizenship Peoples' Republic of ChinaPost Office Address 100 E. Glenolden Ave. Apt. K11; Glenolden, PA 19036

Full name of third joint

inventor, if any Xiaobin DingInventor's Signature Date Jan 30, 2001Residence Piscataway, New Jersey 08854Citizenship The Peoples' Republic of ChinaPost Office Address 191 Pleasant View Drive; Piscataway, New Jersey 08854

ANTHONY F. LEONETTI
Notary Public, New Jersey
My Commission Expires November 29, 2005

Jan 30, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C., 20231, on the date indicated below.

BY: Debbie Gault DATE: 19 June 2001 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent Application of :
Madeleine M. Joullie : Attention:
: Box Missing Parts
Appln. No.: 09/767,080 :
: Group Art Unit:
Filed: January 22, 2001 :
For: AXINDEOXO-PROLINE-CONTAINING : Attorney Docket
TAMANDARIN AND DIDEMNIN : No. 9596-303U1
ANALOGS, DEHYDRO-PROLINE- : (M2163)
CONTAINING TAMANDARIN AND :
DIDEMNIN ANALOGS, AND METHODS :
OF MAKING AND USING THEM :

TRANSMITTAL OF MISSING PARTS OF APPLICATION
FILING DATE GRANTED

In response to the Notice to File Missing Parts dated April 27, 2001, we submit herewith the following:

- ☒ Copy of the Notice to File Missing Parts of Application -- Filing Date Granted, mailed April 27, 2001.
- ☐ No Notice to File Missing Parts has been received.
- ☒ Executed Declaration and Power of Attorney.
- ☐ Nucleotide and/or Amino Acid Sequence Submission, including:
☐ Computer readable copy ☐ Paper Copy ☐ Verified Statement
- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☒ a Non-Profit Organization.
- ☐ Other: &@

			SMALL ENTITY		LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:		BASIC FEE:	
			\$355.		\$710	
Total	-20 =		X9	\$	X18	\$
Independent	- 3=		X40	\$	X80	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$135	\$	\$270	\$

127911 v1

	TOTAL	\$		TOTAL	\$
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☒ The following fees noted below are being paid.

- ☒ Surcharge of [\$65] for late filing of filing fee and/or Declaration and Power of Attorney.
- ☐ Surcharge of \$130 for late filing of English translation.
- ☐ Extension of Time fee in the amount of \$____.00 (Petition for Extension of Time is attached).
- ☐ Filing Fee in the amount of \$____.00 calculated above.
- ☒ Enclosed is our firm's check in the amount of \$65.00 for the above fee(s).
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 209596.0390) as noted below. A duplicate copy of this sheet is enclosed.
- ☐ The above-calculated fee(s) calculated totaling \$____.00.
- ☒ Any overpayments or deficiencies in the above-calculated fee(s).
- ☒ Any additional fees required under 37 C.F.R. § 1.16 or § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS

19 June 2001

(Date)

By: 

GARY D. COLBY, Ph.D., J.D.

Registration No. 40,961

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

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Facsimile: (215) 965-1210

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GDC/dae
Enclosures



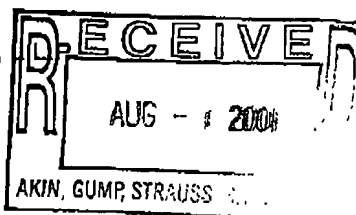
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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FILE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/767,080	01/22/2001	1643	815	9596-303U1 (M2163)	6	55	5

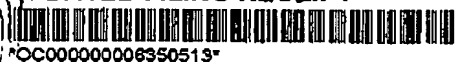
000570

AKIN, GUMP, STRAUSS, HAUER & FELD,
ONE COMMERCE SQUARE
2005 MARKET STREET, SUITE 2200
PHILADELPHIA, PA 19103



CONFIRMATION NO. 5576

UPDATED FILING RECEIPT



OC000000006950513*

Date Mailed: 07/27/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Madeleine M. Joullie, Philadelphia, PA;
Bo Liang, Glenolden, PA;
Xiaobin Ding, Piscataway, NJ;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/545,848 04/07/2000

Foreign Applications

If Required, Foreign Filing License Granted 04/26/2001

Projected Publication Date: 11/01/2001

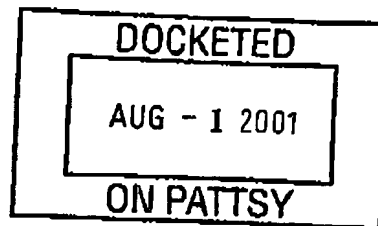
Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Deoxo-proline-containing tamandarin and didemnin analogs, dehydro-proline-containing
tamandarin and didemnin analogs, and methods of making and using them



Preliminary Class

530

Data entry by : HAPPY, MILAGROS

Team : OIPE

Date: 07/27/2001

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231